

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 39

BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION

1  
2 STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE STATE  
3 BOARD OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

4 Be It Resolved by the Legislature of the State of Idaho:

5 WHEREAS, the Legislature is vested with authority to reject executive  
6 agency rules under the provisions of Section 67-5291, Idaho Code, in the  
7 event that the Legislature finds that the rules are not consistent with leg-  
8 islative intent; and

9 WHEREAS, it is the finding of the Legislature that certain rules of the  
10 State Board of Education relating to Rules Governing Thoroughness are not  
11 consistent with legislative intent and should be rejected.

12 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
13 sion of the Sixty-sixth Idaho Legislature, the House of Representatives and  
14 the Senate concurring therein, that IDAPA 08.02.03, Rules Governing Thor-  
15 oughness, Section 004., Subsections 01.d., 01.h., and 01.j., Docket Number  
16 08-0000-2100, Rules of the State Board of Education, only, be, and the same  
17 are hereby rejected and declared null, void, and of no force and effect as of  
18 July 1, 2022.

19 BE IT FURTHER RESOLVED that the portions of rules referenced in this  
20 resolution be rejected notwithstanding any statement of the State Board of  
21 Education to the contrary pertaining to the effectiveness of such rules.